UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,541	06/28/2001	Alex Cabanes	SVL920010028US1	4450

46158   7590   08/27/2009

Tucker Ellis & West LLP
1150 Huntington Bldg, 925 Euclid Ave
Cleveland, OH 44115-1414

EXAMINER
KE, PENG

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
08/27/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

UNITED STATES PATENT AND TRADEMARK OFFICE

_____

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

_____

Ex parte ALEX CABANES
and ALICE CHIANG

_____

Appeal 2009-001011
Application 09/893,541[1]
Technology Center 2100

_____

Decided: August 27, 2009

_____

Before LEE E. BARRETT, CAROLYN D. THOMAS, and
STEPHEN C. SIU, *Administrative Patent Judges.*

BARRETT, *Administrative Patent Judge.*

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134(a) from the final

rejection of claims 1-8, 10-12, 14-22, 24-26, and 28-44. Claims 9, 13, 23,

and 27 have been canceled. We have jurisdiction pursuant to 35 U.S.C.

§ 6(b).

We affirm-in-part.

_____

[1] Filed June 28, 2001, titled "Heuristic Knowledge Portal." The real
party in interest is International Business Machines Corp. Supplemental
Brief filed August 16, 2007 (Br.), 1.

STATEMENT OF THE CASE

The invention

Knowledge management systems, sometimes called knowledge portals, provide a new way of organizing and accessing knowledge contained in documents. Knowledge portals use contextual searching, whereby relevant documents are easily located by the user following a heuristic search path of content-based links. When accessing knowledge and information using a knowledge portal, the user is not required to have a prior understanding of the folder tree structure in order to locate pertinent information. Rather, documents are linked contextually based upon the document content, thereby enabling heuristic searching by a user. Spec. 2.

A typical knowledge portal includes a catalog of information, typically called an information catalog or a knowledge base, that relates to the contents of an associated collection of documents. Spec. 3. The knowledge categories or classifications in the catalog are typically represented by knowledge objects (e.g., people, places, things) and their relationships to each other. Spec. 4.

A critical component of a knowledge portal is the user interface and the corresponding method by which the user is made aware of and accesses the related information. The prior art discloses knowledge maps, or K-maps, for identifying objects closely associated with a keyword search or with a current document. Prior art K-maps are typically a list of related documents and knowledge objects. In a typical prior art arrangement, for each related document or knowledge object the K-map displays a title or other

2

descriptive text and a rating value which indicates how closely the object relates to the document. Upon selection of a document from such a K-map, the document is typically displayed in place of the K-map. In the case of a current document, a user typically requests a K-map relating to that document, and the K-map associated with the document is then constructed and displayed in place of the current document. Spec. 4-5.

One disadvantage of the prior art user interface is that it typically does not allow for simultaneous viewing of a document and its associated K-map, which is inconvenient because the user must constantly switch back and forth. Another disadvantage is that the prior art does not permit previewing of related documents or summary information related thereto. Instead, the user must load the entire document and, if it turns out to be irrelevant, must subsequently reload the K-map. Spec. 5.

As shown in Figure 1, the knowledge portal 10 is in communication with a data store 12, which includes a plurality of objects, such as bitmap images 14, 16, a spreadsheet 18, a text document 20, and two word processing documents 22, 24. Spec.12. The knowledge portal 10 maintains a catalog 30 of objects corresponding to objects in the data store 12. Each entry in the catalog preferably includes a classification based on a classification system which is hierarchical in nature. *Id.*

The information in the knowledge portal is accessed by a user interface 60, which is accessed by an electronic device 62 having a display 64 and a means for providing user input 66. Spec. 13-14.

The Specification describes:

> In a preferred embodiment illustrated in FIGURE 1, the user
> interface provides at least three display panes on the display 64,
> including a document display pane 72, a knowledge map, or K-map,
> pane 74, and a preview display pane 76. Preferably, the three panes
> are displayed simultaneously, e.g. in windows or panes appearing
> simultaneously on the same display 64. The document display
> pane 72 is used to display a current object 82 (which advantageously
> also can be a name 52, Internet URL 54, or other entry in the catalog
> 30). The K-map display pane 74 identifies objects and other entries in
> the catalog 30 that relate to the current object 82 or to another selected
> object. The range of objects included in the K-map are preferably
> determined by K-map parameters 84 such as a view selector, Class
> selector, Scope, K-map object, and the like. . . . The preview display
> pane 76 displays a summary or other content relating to a selected
> preview object 86. It will be appreciated that the three-pane display
> thus described provides the user with current information for review,
> an information map, e.g. K-map giving suggestions about preferred
> search paths and directions, and a preview pane for previewing a new
> item or information relating thereto before loading it into the
> document display pane 72.

Spec. 14. Note the description of the three panes and the K-map parameter.

An exemplary display is shown in Figure 2. The display includes a

document display pane 72 which displays the contents of an object, such as

the actual text 100. The preview display pane 76 displays a summary or

other content relating to a selected preview object 86; in Figure 2, the

preview object is "IBM" and the table 102 displays metadata relating

thereto. The K-map display pane 74 includes a selector input 126.

Spec. 15-16. An element in the K-map may be previewed by hovering the

pointer over the element. *Id.* at 16.

The K-map display pane 74 is shown in more detail in Figures 3A

and 3B. The range of objects included in the K-map are preferably

determined by K-map parameters 84 such as a view selector, class selector,

scope, K-map object, and the like (noted in Figure 1). The "view" can be a

choice of tree view as shown in Figure 3A or a node view as shown in

Figure 3B, which are selected by buttons 122, 124. The "scope" of the

K-map is selected by slider 120. The "class" is selected by selector input

126. The "object" can be selected by typing a keyword into a search dialog

window. Spec. 17-20.

The claims

Claim 1 is reproduced below:

1. A user interface method for executing one or more
operations in a computer for interfacing an associated user with a
knowledge portal that is operatively associated with a plurality of data
objects, the user interface method comprising:

displaying in a document pane at least a portion of first contents
of a current object;

displaying in a map pane a K-map indicating objects which are
cataloged in the knowledge portal as including second contents related
to a selected K-map object;

displaying in a preview pane third contents associated with a
preview object selected from the K-map, wherein the document pane,
map pane, and preview pane are displayed simultaneously on a single
display device;

receiving a user input;

> updating, based upon the received user input, at least one of a
> first identity of said current object, a second identity of said preview
> object, and a K-map parameter; and
>
> updating the K-map conditional upon the updating of a K-map
> parameter.

The reference

   Rivette   US 6,499,026 B1   Dec. 24, 2002
                   (filed Sep. 15, 2000)

The rejection

   Claims 1-8, 10-12, 14-22, 24-26, and 28-44 stand rejected under

35 U.S.C. § 102(e) as being anticipated by Rivette.

PRINCIPLE OF LAW

   "Anticipation requires the presence in a single prior art disclosure of

all elements of a claimed invention arranged as in the claim." *Connell v.*

Sears, Roebuck & Co., 722 F.2d 1542, 1548 (Fed. Cir. 1983).

DISCUSSION

Independent claim 1

   The Examiner refers to column 113, line 65 to column 115, line 27

(section titled "Console"). The Examiner finds that the claim limitation

"displaying in a document pane at least a portion of first contents of a

current object" corresponds to the "Document pane" 11706 in Figure 117,

"displaying in a map pane a K-map indicating objects which are cataloged in

the knowledge portal as including second content related to a selected

K-map object" corresponds to "Group pane" 11710, and "displaying in a preview pane third contents associated with a preview object selected from the K-map" corresponds to "Notes pane" 11708, and that all three panes are "displayed simultaneously on a single display device." Ans. 3.

Appellants argue that "Rivette . . . teaches utilizing the document window (item 11706) for displaying a list of 'file titles' rather than 'object or file contents' as described in col. 114, lines 22-40 and lines 58-67." Br. 18. Appellants note that Rivette discloses displaying content in a text window and an image window, but it does not teach displaying either of these windows within the document window. *Id.*

We agree with Appellants that the document window 11706 does not display a portion of the contents. The Examiner could have been more careful in corresponding the elements of claim 1 to Rivette. However, as noted by Appellants, the contents of the documents can be displayed in a text window 12302 or an image window 12302, individually or separately (col. 115, ll. 1-16), and these windows may overlay the other panes on a single display as the text window 12506 shown in Figure 125. Thus, these text and image windows are "document panes." Claim 1 does not preclude displaying more than the three claimed panes.

The Examiner finds that "updating, based upon the received user input, at least one of a first identity of said current object, a second identity of said preview object, and a K-map parameter" is taught at column 120, lines 8-62. Final Rej. 3.

7

Appellants argue that K-map parameters are disclosed as determining the range of objects included in the K-map, which is not taught nor suggested in Rivette. Br. 19.

The phrase "updating . . . at least one of a first identity of said current object, a second identity of said preview object, and a K-map parameter" only requires one object or parameter to be updated. Column 120 describes that the operator may perform a search of the database and that the console displays the results of the search, which updates at least the identity of the current object. Also, the operator can select a patent from the document pane which displays the patent in a text and/or image window (col. 115, ll. 1-16), which we find correspond to the claimed "document pane." Thus, Rivette teaches at least updating an identity of at least a current object.

Claim 1 also recites "updating the K-map conditional upon the updating of a K-map parameter." Thus, even though the previous updating step did not require updating a K-map parameter, this limitation requires that when a K-map parameter is updated, the K-map itself is updated. The Examiner finds that updating a K-map parameter is taught at column 116, lines 44-62 and column 135, line 55 to column 136, line 20. Ans. 18. Column 116 describes adding a new group to the group hierarchy in Group pane 11704 and columns 135-136 describes entering user-defined criteria, such as colors to indicate ownership or validity. Claim 1 does not define a "K-map parameter." The Specification states that "[t]he range of objects included in the K-map are preferably determined by K-map parameters 84 such as a view selector, Class selector, Scope, K-map object, and the like."

Spec. 14. However, limitations from the Specification will not be read into the claims. Appellants have not shown error in the Examiner's finding that adding a new group or entering user-defined criteria meets this broadly-recited "parameter" limitation.

Appellants argue that Rivette does not teach simultaneously displaying the three panes identified. Reply Br. 3. It is argued that the Examiner points to three separate figures for the windows and then alleges that "these panes and windows <u>can be</u> displayed simultaneously because each pane is a separate window where the display of one pane does not interfere with the display of another." Ans. 17. It is argued that this does not teach that the simultaneous display is inherent. Reply Br. 5.

Since Figure 125 displays a text window 12506 corresponding to the claimed "document pane," a group window 11704 corresponding to a "K-map" pane, and a notes window 11708 corresponding to a "preview pane," Rivette describes simultaneous display.

For these reasons, Appellants have not shown that the Examiner erred in finding that Rivette anticipates the subject matter of claim 1. Arguments not made are waived. The rejection of claim 1 is affirmed.

Claim 2

Appellants argue that Rivette does not teach "updating the K-map view selector based upon the received user input to correspond to a node view" and displaying the K-map includes "displaying a non-hierarchical node view of the K-map." Br. 19-20.

The Examiner finds that Rivette teaches the limitations at Figure 164, item 16412, column 129, line 64 to column 130, line 30. Final Rej. 3.

Appellants argue that "there is no discussion of 'updating a K-map view selector' as recited in claim 2. Rather, this section of Rivette merely suggests that particular nodes within the view (i.e., patent citation tree) may be selected, not a parameter that controls a K-map view." Br. 20. It is also argued that Figure 164 clearly shows a hierarchical view. *Id.*

In the patent citation tree in Figure 164, each node represents a patent and each link represents a cite. Col. 130, ll. 1-4. In a forward patent citation function, the links going from the root node toward the children nodes or leaves represent the directed association "is cited in." Col. 130, ll. 4-8. This representation is called a hyperbolic tree and uses nodes, so it is a node view. Col. 126, l. 59 to col. 129, l. 63; Figures 177-179. Since a node view is selected, some parameter value must be selected which can be termed a "view selector." However, the patent citation view is selected from a listing of patents in the document pane, col. 130, ll. 31-57, and the patent citation view is brought up in a special window and not in the K-map map pane (Group pane). The Examiner has not explained where the representation in Figure 164 applies to selecting a view for the K-map (Group pane 11704 in Rivette). The fact that some information may be represented as a node view does not meet the specific K-map claim limitation.

In addition, Rivette describes that the hyperbolic tree is used for visualizing large hierarchies, such as trees. Col. 126, ll. 61-63. Thus, the

representation in Figure 164 is a hierarchical node view, not a "non-hierarchical node view," as claimed.

Appellants have shown error in the Examiner's rejection. The rejection of claim 2 is reversed.

Claims 3 and 4

Appellants argue that Rivette does not teach "updating the K-map class selector value" and "updating the K-map to include objects corresponding to the K-map class selector value." Br. 21.

The Examiner refers to column 127, lines 6-35. Final Rej. 4.

Appellants argue that this section merely describes that child nodes are brought into focus by clicking on their particular parent nodes, not by selecting a parameter as the Examiner asserts, and there is "no parameter updated to include nodes corresponding to a class selector value." Br. 21.

The rejection does not explain what is considered to be the "class selector value" or interpret what is meant by "class." Nor does the rejection explain how the hyperbolic display applies to the Group pane 11704 in Rivette, which the Examiner corresponds to the K-map map pane. As noted in the analysis of claim 2, the node view is selected in the Document pane and is displayed in a special window, not in the Group pane (which the Examiner corresponds to the K-map map pane). The Specification refers to "people, places, things" (Spec. 19) as classes. The term "class" is not defined and is broader than these examples, yet we do not know what the

Examiner intends. In any case, we fail to see how the K-map is updated. The rejection of claim 3 and its dependent claim 4 is reversed.

Claim 5

Appellants argue that Rivette does not teach "updating the K-map scope based upon the received user input" and "updating the K-map to include objects . . . having a strength of relationship respective to the K-map object within the updated K-map scope."

The Examiner refers to column 127, lines 6-35, and states that the number of links between nodes is an indication of strength. Final Rej. 4.

Appellants argue that Rivette only considers whether a relationship exists, while the application considers the strength of the relationship between objects. Br. 23. It is argued that the only apparent strength of relationship in Rivette relates to the number of links between nodes which is not a user-selectable measure of strength. *Id.*

Column 127 of Rivette describes the hyperbolic tree for visualizing large hierarchies, such as trees. The user can traverse the tree. However, the hyperbolic display relates to the patent display function, in which patents are selected from the Document pane, and displayed in a special pane, not in the Group pane (which the Examiner finds to be the map pane with a K-map). Even if the number of links in the patent citation tree indicate a strength of relationship, we find no teaching of updating the K-map. Therefore, the rejection of claim 5 is reversed.

Claim 6

Appellants argue that Rivette does not teach "receiving a selection of an updated current object identity from the user through the K-map pane," "updating the K-map object to correspond with the updated current object," and "the updating a K-map . . . includes updating the K-map to include objects which are cataloged in the knowledge portal." Br. 24.

The Examiner refers to column 127, lines 6-35. Final Rej. 5.

Appellants argue that the Examiner does not provide a citation for "updating the K-map object to correspond with the updated current object." Br. 24. It is also argued that the connections between nodes in Rivette are merely based on forward and backward citations. *Id.* It is also argued that Rivette does not teach that updating is performed based on objects that are "cataloged in the knowledge portal." *Id.*

Column 127 of Rivette describes the hyperbolic tree for visualizing large hierarchies, such as trees. As noted in the discussion of claim 2, the hyperbolic display relates to the patent citation tree function, in which patents are selected from the Document pane, and displayed in a special pane, not in the Group pane (K-map). This does not teach "receiving a selection . . . through the K-map pane" or "updating the K-map." The rejection of claim 6 is reversed.

Claims 7 and 40

Appellants argue that Rivette does not teach "receiving a selection of an updated preview object identity from the user through the K-map pane"

13

and "displaying in the preview pane third contents associated with the updated preview object without changing the displaying in the document panel," as recited in claim 7. Br. 25.

The Examiner refers to column 125, line 40 to column 126, line 8. Final Rej. 6. With respect the limitation of receiving a selection of a preview object through the K-map pane in claim 16, the Examiner cites to column 138, line 52 to column 139, line 42. Final Rej. 8.

Appellants argue that the cited section relates to a "Skim Images" display screen 14802 that is essentially a document panel configured to only show the first page of a selected patent and there is no associated preview panel that is separate from a document panel. Br. 25. Therefore, it is argued, there is only one panel to present document contents. *Id.*

Appellants argue that columns 138 to 139 of Rivette are directed to viewing a patent based on selecting a node from a hyperbolic tree. "There is no reference to the rendering of a preview of the selected node. Therefore, this section of Rivette does not teach 'receiving a selection of the preview object identity from the user through the K-map pane' as recited in claim 16." Br. 33.

We agree with Appellants' arguments. It is not clear how the "Skim Image" can meet the limitation of a preview pane and a document panel. No explanation is provided in the rejection. It is not apparent from the cited sections of Rivette that the user input is received through selecting an object in the K-map map pane (which the Examiner finds to correspond to the Group pane) as also recited in claim 7. The application of Rivette to the

claim limitations is not self-evident. The rejection of claim 7 and its dependent claim 40 is reversed.

Claim 8

Appellants argue that Rivette does not teach "receiving a text entry through user highlighting of text in the document display pane" and "updating the K-map object to correspond with the received text entry," as recited in claim 8. Br. 26.

The Examiner cites to column 118, line 48 to column 119, line 44. Final Rej. 6.

Appellants argue that this portion of Rivette teaches entering text via text fields in a dialog box, such as item 12802 in Figure 128, rather than "receiving a text entry through user highlighting of text in the document display pane" as set out in claim 8. Br. 26.

Columns 118 to 119 of Rivette describe adding a document note to a document. Although "highlighting" is mentioned, text entry is done through a note window 12514, not by highlighting as claimed and described in the Specification (Spec. 20, ll. 11-20). Nor is the K-map object updated based on text entered using highlighting in the document pane. Accordingly, Appellants have shown error in the Examiner's rejection. The rejection of claim 8 is reversed.

Claim 42

Appellants argue that Rivette does not teach that "the K-map parameter includes at least one of a scope, a view selector, a class selector, and a K-map object parameter." Br. 27.

The Examiner cites to column 117, line 42 to column 118, line 30. Final Rej. 15.

Appellants argue that this portion of Rivette does not teach class selection, but relates to report generation. Br. 27.

Columns 117 to 118 of Rivette relate to invoking patent-centric and group-oriented analysis functions, such as report generation. The Examiner does not explain what description in these columns corresponds to "a scope, a view selector, a class selector, and a K-map object parameter" and it is not self-evident. Where different words are used in the reference, at least some explanation or claim interpretation needs to be provided as guidance for our review. Appellants have shown error in the Examiner's rejection, as stated. The rejection of claim 42 is reversed.

Independent claim 10

Claim 10 is an apparatus claim similar to method claim 1 with limitations in different order, and claim 10 does not require the document pane, map pane, and preview pane to be displayed simultaneously.

Appellants argue that "claim 10, as amended, recites the K-map parameter as including at least one of a scope, a view selector, a class selector, and a K-map object parameter." Br. 28. These limitations about

the K-map parameter are not in claim 10, but are in claim 43. Appellants have not shown error in the Examiner's finding that Rivette teaches updating a K-map parameter as recited in claim 10, as discussed with claim 1.

Appellants argue that Rivette does not teach displaying a portion of the contents of the document in the document pane. Br. 28-29. However, as stated in the analysis of claim 1, Rivette describes that the contents of the documents can be displayed in a text window 12302 or an image window 12302, individually or separately (col. 115, ll. 1-16), and these windows may overlay the other panes on a single display as the text window 12506 shown in Figure 125. Appellants discuss the text and image windows and thus are aware of this teaching. Therefore, Appellants have not shown that the Examiner erred in finding that Rivette anticipates this limitation. The rejection of claim 10 is affirmed.

Claim 11

Rivette does not describe "updating the K-map view selector . . . , the K-map view selector having at least a node view selection option" for the reasons discussed in connection with claim 2. The hyperbolic tree displays a patent citation tree in a special window and does not display elements in the K-map as nodes. The rejection of claim 11 is reversed.

Claim 12

Rivette does not describe "updating the K-map class selector value" or "updating a K-map conditional upon updating a K-map parameter includes updating the K-map to include objects corresponding to the K-map class

17

selector value" for the reasons stated with respect to claim 3. The rejection of claim 12 is reversed.

Claim 14

Rivette does not describe "updating the K-map scope" or "updating the K-map to include objects within the K-map scope" for the reasons stated with respect to claim 5. The rejection of claim 14 is reversed.

Claim 15

Rivette does not describe "receiving a selection of the current object identity from the user through the K-map pane" and "updating the K-map to include objects related to the current object" for the reasons stated with respect to claim 6. The hyperbolic tree description relied upon by the Examiner at column 127, lines 6-35, displays a patent citation tree in a special window and does not receive selections or update objects in the K-map pane (which the Examiner corresponds to the Group pane.) The rejection of claim 15 is reversed.

Claim 16

Rivette does not describe "receiving a selection of the preview object identity from the user through the K-map pane" for the reasons stated with respect to claim 7. The rejection of claim 16 is reversed.

Claim 17

Rivette does not describe "receiving a text entry supplied through user highlighting of text in the document display pane" and "updating an object K-map parameter to correspond with the received text entry" for the reasons stated with respect to claim 8. The rejection of claim 17 is reversed.

Claim 18

Claim 18 depends on claim 10 and recited "simultaneously displaying the document pane, the map pane, and the preview pane on a single display device." The rejection of claim 18 is affirmed for the reasons discussed in the analysis of claim 1, which contains this same limitation.

Claim 43

The rejection of claim 43 is reversed for the reasons stated with respect to claim 42.

Independent claim 19

Appellants argue that Rivette does not teach displaying a portion of the contents of the document in the document pane. Br. 36-37. However, as stated in the analysis of claim 1, Rivette describes that the contents of the documents can be displayed in a text window 12302 or an image window 12302, individually or separately (col. 115, ll. 1-16), and these windows may overlay the other panes on a single display as the text window 12506 shown in Figure 125. Appellants discuss the text and image windows and thus are aware of this teaching. Accordingly, Appellants have not

shown that the Examiner erred in finding that Rivette anticipates this limitation. The rejection of claim 19 is affirmed.

Claim 20

Appellants argue that Rivette does not teach "the displaying in a map pane the K-map includes displaying a node view of the K-map limited to related objects having a strength of relationship respective to the K-map object greater than a specified value" as recited in claim 20.

The Examiner cites to column 127, lines 6-35, and states that "[b]y limiting the displaying to a specific number of degrees, the K-map is limiting the displayed objects based on degree of the relevance."
Final Rej. 10.

Appellants argue that Rivette only considers whether a relationship exists, while the application considers the strength of the relationship between objects. Br. 23. It is argued that the only apparent strength of relationship in Rivette relates to the number of links between nodes which is not a user-selectable measure of strength. *Id.*

As discussed in the analysis of claim 2, the hyperbolic display relates to the patent citation tree function, in which patents are selected from the document pane, and displayed in a special pane, not in a K-map. Even if the number of links in the patent citation tree indicate a strength of relationship, as broadly claimed, we find no teaching in Rivette of displaying a K-map map pane (which the Examiner finds to correspond to the Group pane) in a node view. Therefore, the rejection of claim 20 is reversed.

20

Claims 21 and 22

The Examiner rejects claims 21 and 22 as being of the same scope as claims 3 and 4. Final Rej. 10.

The rejection of claims 21 and 22 is reversed for the reasons stated with respect to the rejection of claim 3.

Claim 24

Appellants argue that Rivette does not teach the limitations of claim 24. Br. 39.

The Examiner cites to column 127, lines 6-35. Final Rej. 10.

Appellants argue that the cited portions of Rivette and corresponding Figure 177 do not teach or suggest displaying a document pane and an updated K-map in the map pane, but only describe a hyperbolic tree showing relationships between nodes. Br. 39.

The hyperbolic display relates to the patent citation tree function, in which patents are selected from the document pane, and displayed in a special pane, not selected "through a K-map pane" and "displayed in the document pane" as recited in claim 24. Nor does the hyperbolic display describe "constructing an updated K-map" or "displaying the updated K-map in the map pane" since it does not interact with the Group pane (which the Examiner corresponds to the K-map pane). Therefore, the rejection of claim 24 is reversed.

Claim 25

Appellants argue that Rivette does not teach "receiving a selection of the preview object identity from the user through the K-map pane." Br. 39.

The Examiner cites to column 118, line 45 to column 119, line 45. Final Rej. 11.

Appellants argue that the cited section relates to "Adding a Document Note" via a Text window 12506 and discusses a Note window for accepting user notes corresponding to a patent, but there are no preview objects or an associated preview panel. Br. 39-40.

We agree with Appellants that the cited portion of Rivette does not describe receiving a selection of a preview object through the K-map pane. The rejection of claim 25 is reversed.

Claim 26

Rivette does not describe "receiving a text entry supplied through user highlighting of text in the document display pane" and "updating the K-map to include objects related to the selected text" for the reasons stated with respect to the rejection of claim 8. The rejection of claim 26 is reversed.

Claim 41

Appellants argue that Rivette does not teach "updating the displayed K-map to identify . . . a measure of a strength of relationship between each related object and the updated K-map object." Br. 41.

The Examiner cites to column 127, lines 6-35 for a double-clicked K-map entry and displaying a measure of the strength of relationship, cites

to column 113, line 65 to column 115, line 27 for text in a document that is highlighted by a user, and cites to column 120, lines 28-62 for search terms entered by a user. Final Rej. 15.

Appellants argue that column 127 of Rivette is merely describing the presentation of nodes based on levels of citation, not a "strength of relationship." Br. 41. It is argued that the only apparent strength of relationship relates to the existence of links between nodes. *Id.*

The hyperbolic display described at column 127 relates to the patent citation tree function, in which patents are selected from the document pane, and displayed in a special pane. The patent citation tree function, as described in Rivette, has nothing to do with the entries in the Group pane (which the Examiner corresponds to the K-map pane). Even if the number of links were an indication of a measure of strength of relationship, it is not a measure between "each related object and the updated K-map object," as claimed. The rejection of claim 41 is reversed.

Independent claim 28

Appellants argue that Rivette does not teach displaying a portion of the contents of the document in the document pane. Br. 36-37. However, as stated in the analysis of claim 1, Rivette describes that the contents of the documents can be displayed in a text window 12302 or an image window 12302, individually or separately (col. 115, ll. 1-16), and these windows may overlay the other panes on a single display as the text window 12506 shown in Figure 125. Appellants discuss the text and image windows

and are aware of this teaching. Appellants have not shown that Rivette does not anticipate this limitation. The rejection of claim 28 is affirmed.

Appellants argue that new dependent claims 42-44 further define the K-map parameters. Br. 43. This argument is addressed in the analysis of those claims.

Claim 29

The rejection of claim 29 is reversed for the reasons stated with respect to claim 2. Even if the hyperbolic display included the K-map, it is a hierarchical view, not a non-hierarchical node view as claimed.

Claims 30-32

Appellants argue that Rivette does not teach a "K-map processor calculates a K-map containing objects limited to objects corresponding to the K-map class parameter." Br. 44.

The Examiner cites to column 117, line 42 to column 118, line 30. Final Rej. 12.

Appellants argue that this portion of Rivette does not teach calculating a K-map containing objects corresponding to a K-map parameter, but relates to report generation where a user can select and/or configure reports to be run. Br. 44.

Columns 117 to 118 of Rivette relate to invoking patent-centric and group-oriented analysis functions, such as report generation. The Examiner does not explain how the description in these columns meets the claim limitation. Where different words are used in the reference, at least some

explanation should be provided as guidance. The report generator shown in Figure 128 does not appear to have anything to do with calculating what is displayed in the Group pane (which the Examiner corresponds to the K-map pane). Appellants have shown error in the Examiner's rejection, as stated. The rejection of claim 30 and dependent claims 31 and 32 is reversed.

Claims 33-35

Appellants argue that Rivette does not teach "the K-map processor calculates a K-map containing objects limited to objects whose relationship to the current object falls within the K-map scope parameter value," as recited in claim 33. Br. 46.

The Examiner cites to column 117, line 42 to column 118, line 30. Final Rej. 13.

Appellants argue that this portion of Rivette does not teach a K-map processor calculating a K-map containing objects, but relates to report generation where a user can select and/or configure reports to be run. Br. 44. It is argued that instead of a K-map calculation being performed, the user simply specifies via the text box 12810 in Figure 128 how many levels of citation are to be displayed. *Id.*

The Examiner does not explain how the cited portion of Rivette meets the claim limitation. As discussed in the analysis of claim 30, it is not apparent that the report generator shown in Figure 128 has anything to do with calculating what is displayed in the Group pane (which the Examiner

corresponds to the K-map pane). The rejection of claim 33 and dependent claims 34 and 35 is reversed.

Claim 36

Rivette does not describe "the current object is selectively updateable by the user via the pointing device selection means operating within the K-map display pane" for the reasons stated with respect to the rejection of claim 6. The Examiner cites to column 115, line 28 to column 116, line 42, relating to "console tool bars," as opposed to column 127, lines 6-35, which the Examiner relied on for a similar limitation claim 6. However, the Examiner does not explain how the toolbars meets the claim limitation. The rejection of claim 36 is reversed.

Claim 37

Rivette does not describe "the preview object is selectively updateable by the user via the pointing device selection means operating within the K-map display pane, the updating of the preview object not affecting the current display pane" for the reasons stated with respect to claim 7. The rejection of claim 37 is reversed.

Claims 38 and 39

Appellants argue that Rivette does not teach "the set of K-map parameters includes an object parameter" and "the K-map processor calculates a K-map containing objects related to the object corresponding to the object parameter," as recited in claim 38. Br. 49.

The Examiner cites to column 115, line 28 to column 16, line 42 for a K-map object parameter, and to column 120, lines 8-62 for a K-map processor calculating a K-map containing objects related to the object corresponding to the object parameter.

Appellants argue that the cited section of Rivette describes Figure 122, which illustrates an example console 12202 comprising results from Search screen 12102 and "[t]here is no discussion in this section of calculating K-maps based on object parameters." Br. 49.

Columns 115 to 116 of Rivette describe console toolbars. Column 120 describes searching using a Search button 13502 in the Group toolbar 11724. The Examiner does not describe what corresponds to the K-map parameters and, in particular, the object parameter. Nor does the Examiner explain how Rivette calculates a K-map based on object parameters. The application of the cited portions of Rivette to the claim limitations is not self-evident. Accordingly, the rejection of claim 38 and its dependent claim 39 is reversed.

Claim 44

The rejection of claim 44 is reversed for the reasons stated with respect to claim 42.

CONCLUSION

The rejection of claims 1, 10, 18, 19, and 28 under 35 U.S.C. § 102(e) is affirmed. The rejection of claims 2-8, 11, 12, 14-17, 20-22, 24-26, and 29-44 under 35 U.S.C. § 102(e) is reversed.

Requests for extensions of time are governed by 37 C.F.R. § 1.136(b). *See* 37 C.F.R. § 41.50(f).

AFFIRMED-IN-PART

rwk

Tucker Ellis & West LLP
1150 Huntington Bldg, 925 Euclid Ave
Cleveland, OH 44115-1414